

Effective 5/12/2015

Superseded 3/10/2016

10-2a-411 Election of officers of new city, town, or metro township.

- (1) For the election of the initial office holders of a metro township, city, or town, respectively, incorporated under Section 10-2a-404, the county legislative body shall:
 - (a) unless a primary election is prohibited by Subsection 20A-9-404(2), hold a primary election at the next regular primary election, as described in Section 20A-1-201.5, following the November 3, 2015, election to incorporate; and
 - (b) hold a final election at the next regular general election date following the election to incorporate.
- (2) An election under Subsection (1) for the officers of:
 - (a) a metro township shall be consistent with the number of council members as described in Subsection 10-2a-404(1)(b)(i); and
 - (b) a city or town shall be consistent with the number of council members, including the city mayor as a member of a city council, described in Subsection 10-2a-404(1)(b)(ii).
- (3)
 - (a)
 - (i) The county clerk shall publish notice of an election under this section:
 - (A) at least once a week for two successive weeks in a newspaper of general circulation within the future metro township, city, or town; and
 - (B) in accordance with Section 45-1-101 for two weeks.
 - (ii) The later notice under Subsection (3)(a)(i) shall be at least one day but no more than seven days before the election.
 - (b)
 - (i) In accordance with Subsection (3)(a)(i)(A), if there is no newspaper of general circulation within the future metro township, city, or town, the county clerk shall post at least one notice of the election per 1,000 population in conspicuous places within the future metro township, city, or town that are most likely to give notice of the election to the voters.
 - (ii) The county clerk shall post the notices under Subsection (3)(b)(i) at least seven days before each election under Subsection (1).
- (4)
 - (a) Until the metro township, city, or town is incorporated, the county clerk is the election officer for all purposes in an election of officers of the metro township, city, or town.
 - (b) The county clerk is responsible to ensure that:
 - (i) if applicable, the primary election described in Subsection (1)(a) is held on the date described in Subsection (1)(a);
 - (ii) the final election described in Subsection (1)(b) is held on the date described in Subsection (1)(b); and
 - (iii) the ballot for each election includes each office that is required to be included for officials in the metro township, city, or town, and the length of term of each office.
- (5) The officers elected at an election described in Subsection (1)(b) shall take office at noon on the first Monday in January next following the election.